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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Geoffrey Goldspink Confirmation No.: 8321
Serial No.: 10/005,131 Art Unit: 1632
Filed: December 5, 2001 Examiner: Joseph T. Woitach
For: EUKARYOTIC GENE
EXPRESSION CASSETTE
AND USES THEREOF Attorney Docket No: 10103-004

DECLARATION OF GEOFFREY GOLDSPINK UNDER 37 C.F.R. § 1.131

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, GEOFFREY GOLDSPINK, declare the following:

1. I reside at Brambledene, East Common, Harpenden AL5 1DQ, United Kingdom.

2. I presently hold the positions of Emeritus Professor of Surgery and Emeritus Professor of Anatomy at University College London. University College London is the assignee of the above-identified application by virtue of an assignment from the inventor to University College London for International Application No. PCT/GB98/01198, to which the above-identified application claims benefit.

3. I am the sole inventor of the invention which is disclosed and claimed in the above-identified application. The invention as described and claimed in the above-identified application relates to methods of treatment using pharmaceutical compositions comprising a) an expression cassette operably linked to (i) a myosin light chain enhancer; (ii) a promoter selected from a myosin heavy chain promoter and a viral promoter; and (iii) a polynucleotide sequence encoding a polypeptide of therapeutic use, b) a vector comprising said expression cassette; or c) a viral strain comprising said expression cassette combined with a pharmaceutically acceptable carrier or diluent.

4. Attached hereto as Exhibit 1 is a copy of a draft manuscript that served as an Invention Disclosure Form for the invention described and claimed in the above-identified application. I have reviewed Exhibit 1. Although the dates have been removed from this document, the date of this document is prior to March 1997. Also, I hereby confirm that Exhibit 1 describes work done by me or under my direction and supervision and all of the acts relied upon in Exhibit 1 and this Declaration were carried out by myself or under my direction in the United Kingdom prior to March 1997.